

computer loading photos.

Q. Okay. Um, what site were you on?

A. Facebook.

Q. Do you think that the taxpayers would  
5 appreciate funding a drop-in centre?

THE COURT: That is not relevant.

ANDREA ARMSTRONG: Q. Pregnant....

A. This is ridiculous.

THE COURT: We are not going to have  
10 taxpayers...

ANDREA ARMSTRONG: Okay.

THE COURT: ...coming in here to complain.

ANDREA ARMSTRONG: Okay, I would like to be  
able to recall this witness in the future.

15 THE COURT: No, you won't. You ask your  
questions now. If you have run out of  
questions, it is done. You are out of  
questions? Apparently, you are. Any re-  
examination for the Crown?

MS. EBERHARD: No.

20 THE COURT: Thank you. Please, leave. Your  
next witness for the Crown?

MS. EBERHARD: Thank you. Tami Taylor.

25 ...PAGING TAMI TAYLOR.

for you to  
search  
single  
men  
on-line

Recall  
witness  
REFUSED

ANDREA ARMSTRONG: I think the witnesses  
should be separated because of the  
contradictory evidence.

30 THE COURT: Well, we will see. I am told  
that there is some indication that you and one  
of the witnesses were talking to each other

Someone  
pointed out  
Lori & I  
were speakin  
because they  
felt threatene

# Prosecution Witness 1 Testimony: *Tami Taylor-Doherty*

during the break. Is that true or untrue?  
5 ANDREA ARMSTRONG: She - I called her this morning and asked her if she would come here and all we did was talk about the fact that she's gonna' be here for the break. No, she didn't go with me. I went to my van with my daughter and ex-husband and we just talked briefly about her being here...

10 THE COURT: Okay. That is fine.

ANDREA ARMSTRONG: ...because I didn't subpoena her. She came on her own.

15 THE COURT: All right. Please, be seated. Your next witness, please. Would you step up here, please, Madame?

COURTROOM CLERK: Just right into the box next to His Honour, please.

TAMI TAYLOR: SWORN

EXAMINATION IN-CHIEF BY MS. EBERHARD:

20 Q. Thank you, Ms. Taylor. Do you go by any other name? Tami, do you have another last name that you are known as?

A. Doherty.

Q. Can you spell that for the court?

A. D-O-H-E-R-T-Y.

25 Q. Okay. And is that a maiden name or is that a married name?

A. That was a married name.

Q. Okay.

30 THE COURT: You have returned to your birth name, have you;...

A. I have.

THE COURT: ...Taylor? Thank you.

MS. EBERHARD: Q. Ms. Taylor, are you currently working?

5 A. Yes, I am.

Q. Where do you work?

A. Our Space.

Q. And is that the name of a company or a place or....

10 A. Our Space is a community drop-in centre.

Q. And who is the - who runs the community drop-in centre? In other words, what's the association or organization that runs it?

15 A. Peterborough Social Planning Council runs it.

JUDGE  
NOT  
IMPARTIAL.  
Showing  
favouritism

Q. And what do you do there?

A. I'm a support worker.

Q. Where is Our Space located?

A. 217 Murray Street in the basement

20 Q. That's in Peterborough?

A. Yes, it is.

Q. And how long have you worked there for?

A. Since December 15<sup>th</sup>, 2008.

THE COURT: Would that be in the old Legion Hall?

25 A. Yes, it is.

THE COURT: A lovely place. Carry on.

MS. EBERHARD: Q. How many hours do you generally work?

A. Forty, fifty.

30 Q. And what is your role as a support worker?

A. To support the clients that come there.

Q. How do you do that?

A. Depends on the client.

Q. Okay. And when you say clients, who do  
you consider to be a client?

5 A. Any person who comes and uses the drop-in  
centre.

Q. And the drop-in centre would have  
available what sort of services or resources for someone to  
come in and use?

10 A. We have, uh, - we have a bunch of  
different things. Um, we can hook people up with, uh,  
Ontario Works, disability, um, rehab. for different things,  
housing, help them do, uh, resumes. Uh, we serve food there.

Q. Okay. And were you working on February  
the 10<sup>th</sup>, 2009?

15 A. Yes, I was.

Q. And what was your job on that day? Again,  
were you working as a support worker?

A. Yes, I was.

20 Q. All right. And there is an allegation  
before this court of an occurrence concerning Ms. Armstrong.  
Did you make any observations of Ms. Armstrong at Our Space,  
the community drop-in, on February the 10<sup>th</sup>, 2009?

A. Yes, I did.

25 Q. Okay. Can you tell us - tell this court  
about your observations?

A. What I seen?

Q. What you saw, yes.

A. I seen Ms. Armstrong enter Our Space.

Q. At what time?

30 A. That would be, uh, after 6:00 p.m.

Q. Long after? Short after? Like within

minutes of 6:00 p.m.?

A. Not sure the exact time.

Q. Between 6:00 and 7:00 p.m. Is that fair?

A. It was between 6:00 and 7:00 p.m.

5 Q. Okay. And what happened - did you make any other observations after you saw her enter?

A. Yes. She entered the doorway, came in and, uh, walked towards another female, started shouting and pushed her.

10 Q. What did you - what do you recall her shouting? Do you recall anything, in particular?

A. I recall her shouting that she was a liar, that she was a thief.

Q. And, first of all, did you know it was Ms. Armstrong when she walked in?

15 A. I'm sorry?

Q. Did you know it was Ms. Armstrong when she walked in the room? Did you recognize her?

A. That was the first time I've ever seen her.

20 Q. Oh, so you - you didn't have a relationship with Ms. Armstrong before this incident?

A. No, I did not.

Q. Okay. And you see her shouting - you hear her shouting. Who is - in your own observation - your 25 observations, who was she shouting at?

A. She was shouting at Rachel.

Q. Rachel?

A. Carkner.

Q. Okay. And what was Rachel Carkner doing?

30 A. Sitting in front of a computer.

Q. All right. And where were you located?

A. I was about 10 feet away in a cubicle which we use as our office.

Q. And is there an unobstructed or obstructed view from your cubicle to where Ms. Carkner was sitting?

5 A. Depends whether you're standing or sitting.

Q. And what were you doing?

A. Standing.

Q. Okay. And did you - were you able to 10 clearly see Ms. Carkner?

A. Yes, I was.

Q. All right. And you hear the shouting. You see her walk over towards to Ms. Carkner. Then what do you see?

15 A. I see Ms. Armstrong pushing Rachel.

*Alleged vict  
testified s/  
was  
pushed or  
the back.*

Q. How did she push Rachel?

A. Like this...

Q. Okay.

A. ...with two hands to the chest area.

Q. Two hands to the chest area?

20 A. That's what I seen.

Q. So, in your recollection, do you - was Ms. Carkner facing Ms. Armstrong?

A. Not when she walked in the door. She didn't see her come in the door. She was kinda' sitting 25 sideways in the computer chair...

Q. Okay.

A. ...like facing the computer so she wouldn't see her come in the door.

Q. Okay. And did you observe, without 30 interruption, Ms. Armstrong walk over and then make contact with Ms. Carkner?

A. Yes, I did because the door's right there.  
The office is right beside the door that everybody comes in.  
You see everybody that walks through the door if you're  
standing in the office.

5 Q. Okay. What direction was Ms. Carkner  
sitting when she was pushed? Was she facing the computer? *Leading witness*  
was she facing away from the computer?  
A. She was kind of on an angle. Because *"back"*  
was pregnant, the way she was sitting, it was kind of  
10 angle.

Q. All right. And you - and did Ms.  
Armstrong push her, in your observations, from the back or at  
an angle or from the front?

A. More in the front area because when I seen  
Rachel's body move, it was more like this.

15 Q. Okay. You're - you have - for the record,  
you have both hands on your left - right...

A. Yeah.  
Q. ...chest...

A. Yeah, right.  
20 Q. ... - part of your chest and...  
A. Yeah.

Q. ...you're motioning backwards.  
A. That's what I seen was Rachel move *"away from me"*

25 backwards.  
Q. Did you see Ms. Carkner fall off her

chair?  
A. I did not.

Q. Okay. What happened immediately after?  
A. I started approaching both Rachel and Ms. *"near them"*

30 Armstrong immediately as when I seen that, stood in between  
the two of them.

*Motioning  
BACKWARDS*

80.  
T. Taylor - in-Ch.

No  
Question  
Answer

Q. Did you see anything else?  
A. Not at that point, no.  
Q. Okay. Did you see a wallet or a phone

charger?

5 A. I did not.  
Q. Okay. Did you see a bag?  
A. Yes.  
Q. Okay. And where was the bag located?  
A. Sitting beside Rachel on the floor.

10 Q. Did you see any injury that may or may not have come to Ms. Carkner as a result of the incident?

A. I didn't see a physical injury.

Q. Okay. What happened when you approach and you get to the two individuals?

15 A. Um, Rachel's now crying hysterically. Ms. Armstrong's yelling.

Q. What is she yelling?

A. Pardon me?

Q. What is she yelling?

20 A. She's still yelling at Rachel that she's a liar and a thief and, uh, she had something that belonged to her and....

(stated once & not again)

Q. Then what happened?

A. Rachel left to go to the - the women's washroom...

25 Q. Yes.  
A. ...and, uh, I tried to calm Ms. Armstrong down for a couple of minutes...

before she  
went to  
the bathroom

Q. Okay.

30 A. ...just saying, you know, "This isn't appropriate. Your kids are here. Rachel's pregnant."

Q. Ms. Armstrong walked in with her children?

when did  
She and  
Police

A. Yes.

Q. How many children?

A. Two.

Q. And their approximate ages?

A. Seven and 12, maybe.

Q. And were they with Ms. Armstrong when  
incident occurred when you saw it occur?

A. Yes, they were.

Q. All right.

A. They were standing to her left; the oldest  
one and then the youngest one.

Q. All right. What happened after you tried  
to calm her down?

A. She wouldn't calm down so I went into the  
women's bathroom to make sure Rachel was okay. There was  
another female staff on, as well, so she stayed out in the  
other area.

Q. All right. Then what happened?

A. I was in the bathroom with Rachel. Rachel  
was, uh, in one of the stalls sitting on a toilet crying and  
she was on the phone. She had called 911.

Q. Okay. Then what did you observe?

A. Um, I just tried to calm Rachel down, make  
sure that she was okay.

Q. And then what happened?

A. Um, after a few minutes, I poked my head  
out the door to see what was going on out in our other  
area...

Q. Yes.

A. ...and, um, Andrea wasn't out there at  
that point, so I brought Rachel out into my office.

Q. Okay. Then what happened?



Positioning.

STANDING:

Standing  
to my  
RIGHT

Went in  
Marisol  
asked  
her to go  
in my  
about  
escape  
out without

No  
no threat  
or yelling  
or getting  
in bathroom

No  
threat

If my kids  
were on my  
left side  
they would  
be between  
Rachel & I

A. Um, at that point, um, Andrea for about 20 minutes and, um, she came back in, we women's washroom, stayed in there for awhile, came in. Eventually, she left with her kids. I stayed, basically, in

5 the office with Rachel.

Q. Okay. And did you give a statement to the police?

A. Yes, I did.

Q. On that day or at a different time?

10 A. Um, a different time. I wrote out a statement that day. I wrote something but then at a different time, the police officer came back and talked to me.

Q. Okay. All right.

15 ANDREA ARMSTRONG: I don't think I have a second statement from her. (ignored)

MS. EBERHARD: Q. When you say that you wrote something down,....

A. The police officer left me a piece of paper to fill out.

20 Q. Okay. And - and that was asking for your statement concerning the incident,....

A. Yeah.

Q. ...right, and then did you give that to the officer?

25 A. Yeah, he came back and got it....

Q. Okay.

A. ...another day.

Q. All right. So you....

ANDREA ARMSTRONG: So it's just this one.

30 MS. EBERHARD write out one statement and then hand it Is it Standard procedure for Police statement to be taken to this way?

Statement written out at home over how many days?

Not entered as evidence DECLINING

Why cop talk to you about what?

Missing Incident Report

TWO

Statement

83.  
T. Taylor - in-Ch.  
T. Taylor - cr-Ex.

A. Yes.

Q. Okay. And did you make any changes to  
that station - statement at any time?

A. From the original?

5 Q. Yeah. Like did you ever go back to the  
police station and change your story?

A. No, no.

Q. Okay. All right. I have no further  
questions.

10 THE COURT: Cross-examination.

GROSS-EXAMINATION BY ANDREA ARMSTRONG:

Q. Have you ever testified in court bef why does she  
A. No, I have not.

15 Q. Do you know what the penalties are u  
the Criminal Code regarding making false statements and perjury?

THE COURT: She does not have to know th  
She is under oath. (Ma, Ma).

ANDREA ARMSTRONG: Okay. Q. What...

20 THE COURT: It is an improper....

ANDREA ARMSTRONG: ...level of education....

THE COURT: That is an improper question. I  
would never allow a lawyer to ask that.

25 ANDREA ARMSTRONG: Okay. Q. What level of  
education do you have?

A. College.

Q. Is your position at Our Space a paid or  
volunteer position?

A. Paid.

30 Q. And what type of training and experience  
do you have to, uh, - that qualifies you for working with

Changes  
made  
written  
police  
added  
etc

2008 4/1

84.  
T. Taylor - cr-Ex.

P. 75

people in the community that have these mental health issues and whatever else?

A. I've been 16 years in the Human Services field. I've worked at Canadian Mental Health for several years, followed the warming room for several years.

Q. Okay. Now, where were you, apparently, when I first came into the room?

A. I was standing in the office area which is right to your right of the door.

Q. And were you on the telephone?

A. No.

Q. And where was Mary Lou Green at the time?

A. I'm not sure.

Q. Wasn't she the one that was standing in between me?

A. Uh, immediately when it happened, it was me. I was actually standing and I put my hand on your shoulder and was talking very quietly to you.

Q. Do you remember what Mary Lou Green said to you to make you go into the bathroom?

A. No.

Q. Do you remember her - me telling that I heard a noise in the bathroom and I'd like them to go check and see if Rachel's going to get out a window?

A. No. There's no windows in there.

Q. Yeah, that's exactly what they said. Um, um, I think in one of your statements, you stated that, um, the push from the front, um, caused a backward motion. How did she fall? Like did she fall sideways kind of or straight back into the chair or what?

A. No, all I seen was her body jerking like that.

Q. Okay.

THE COURT: Showing a rocking back motion,  
for the record. Thank you.

ANDREA ARMSTRONG: Q. Did you see me when I  
5 was bent over beside the computer chair attempting to get the  
item out of the bag when you had an office divider in your  
way?

A. No.

Q. What side of the computer was I allegedly  
10 on?

A. The right side.

Q. After I'd left the second time after going  
out for my cigarette, did you see me come back at all or  
drive around...

A. I didn't see you....

Q. ...at all?

A. I didn't see you enter the building again,  
no.

Q. Did you think it was suspicious that, um,  
Rachel was hiding the phone charger?

A. I didn't know that she was hiding a phone  
20 charger?

Q. And you didn't help her hide the phone  
charger?

A. No.

Q. Um, why did you have to take her into the  
men's bathroom?

A. We were in the....

Q. Was she going in there to hide anything  
else?

A. We were in the female bathroom.

Q. When I was coming out of the woman's

f 10  
falling  
feared  
balance  
  
viewed  
walked  
neglected  
abused  
had  
seen

No mention  
of cancer  
going out  
or meeting  
or driving  
driving  
driving

bathroom, you and Rachel were seen coming out of the men's bathroom...

A. She....

Q. ...giggling and laughing.

5 A. She needed to use the bathroom. That was the only washroom to take her to safely at that point.

Q. After she had just been in the other bathroom...

A. She didn't....

10 Q. ...15 minutes ago?

A. She didn't use the bathroom. She....

Q. So...

A. She just sat in there.

Q. ...she spent the time in there hiding the charger then? Okay. Um,....

15 THE COURT: You know?

A. No, I never seen the charger.

ANDREA ARMSTRONG: Q. At any time, did you see me with the phone charger or wallet in my hand?

20 A. No, I did not.

Q. Did any of these items fall on the floor?

A. Not that I seen.

Q. Is it not possible that you missed Ms. Carkner assaulting me while I'm bent over the computer chair because her chair was in the way? Could you have missed 25 seeing her hit me first to get to her bag?

A. I had plain view from the time they came in the door. I don't know how I would have missed that.

Q. So at the only time - you're saying that, at one point, there was a push. Are you saying that was just 30 the one push and that's the end of the whole thing and there was no other physical contact after that?

Violent  
friendly  
FONDUE  
CO  
Widow  
Bathwater

Not  
according  
to other  
testimony

see wrist-hold  
or bag  
grab!

A. I didn't see any other physical contact.  
Q. Okay.  
A. I only seen the push.

Q. So if she - since you had such a good view, if she, um, - if one of us had grabbed each wrist or done anything like that, you would because you had a clear view, right?

A. Uh, I might not have seen my out of the office to approach where you gu

Q. Okay. Which way was Rachel apparently, pushed her on the chair? Was she twisted more to the left or was she twisted more to the right?

A. More to the right.

Q. At one point, Carkner grabbed the bag from me. Did you ever interpret this as a push or a hit or a shove or anything like that?

A. I didn't see that.

Q. Didn't see that. Your statement says that staff took Rachel in the washroom. Who do you mean by staff?

A. Myself.

Q. Oh, at one point, um, Ms. Carkner brought out a wallet and was showing hospital bracelets. Why do you think she would have done that?

THE COURT: Well, did you see that?

ANDREA ARMSTRONG: Q. Oh, yes, did you see that?

THE COURT: No, just a moment. Did you see Ms. Carkner do that?

A. Yes, I did.

THE COURT: Okay.

ANDREA ARMSTRONG: Q. And was that in response to something I had said to her?

Did NOT see "wrist-hold" or "bag grab",  
Should not even know about wrist-hold, police did not separate witnesses

88.  
T. Taylor - cr-Ex.

PERJURY  
he was  
in the  
same room.

A. I don't know why she brought...

Q. You were not...

A. ...them out.

Q. ...close enough to hear any verbalizations

5 between...

A. I....

No screaming

Q. ...the two of us?

A. I didn't hear anything that you said. I  
know she said that they were proof that she had been in the  
10 hospital.

No  
extreme  
to  
the  
bathroom

Q. I understand that there was a gentleman  
there that night. I believe, his first name may be Chris  
and, apparently, he's your boyfriend?

A. Yes, could be.

defensive

15 Q. He was a witness to this also and refused  
to speak to police for me.

A. He was upstairs when it happened.

PERJURY  
misconduct  
Incident  
Report

Q. Was he really?

A. Yeah.

20 Q. It's interesting you say that.  
THE COURT: Well, I am sure you....

ANDREA ARMSTRONG: Can I call two witnesses?

THE COURT: I am sure you will have someone  
here to contradict that, so carry on.

LORI  
SAINT

25 ANDREA ARMSTRONG: I do. If some - if she  
could...

THE COURT: That is fine.

30 ANDREA ARMSTRONG: ...give me the last name  
of that person, I'd be glad to do a subpoena  
right now. He's in this courtroom. I'd like  
to subpoena him and I have a rebuttal witness  
waiting for me that witnessed a conversation

Tami's boyfriend Chris was in the same room, a few feet  
behind me, between me and the office divider, Green to our  
left

89.  
T. Taylor - cr-Ex.

want  
Refused  
my rebuttal

witness,  
NO GUIDANCE

with him and me.

THE COURT: Just carry on with the questions.

ANDREA ARMSTRONG: Q. Oh, and where was Mary Lou when, um, this push, apparently, happened to me?

A. I don't know.

Q. Was she in the office area, by the computer, by the doorway?

A. I don't know.

Q. You don't know where she was? Okay. Sorry, I don't do shorthand. What did you and Ms. Carkner discuss in the office area?

A. What did we discuss while she was sitting in the office area? About her bein' pregnant.

Q. Was she trying to get her story straight for the police?

A. No.

Q. I won't ask a question, but you won't like it so I'll be nice, okay?

THE COURT: Ask the....

ANDREA ARMSTRONG: I'll go to the next one.

THE COURT: All right.

ANDREA ARMSTRONG: Okay. Q. Um, at what point, um, did Rachel go into the bathroom?

A. How long after this little incident did she go into the bathroom? Within five minutes. It wasn't that long.

Q. And did she walk, crawl, run?

A. She hurried to the washroom.

Q. Were my children crying at any point?

A. Not that I observed.

Q. But you say you - oh, you took her into the men's washroom to go to the bathroom, right?

Roger

Avoided  
Answer

Full  
Answers  
Defense

Reproduced  
not about

Not  
extraoral

A. Yes.

Q. You also stated that I continued to yell after staff approached me. Isn't it true that, in fact, I calmly sat down at the computer desk and closed out Carkner's Space Book's account and I never yelled. After the initial statement, I yelled when, uh, Rachel first - we had our first scuffle?

THE COURT: Now, how is she going to work out all of that question? Break it up into pieces.

ANDREA ARMSTRONG: Q. Okay. You stated that I continued to yell after staff approached me. What did I continue to yell about?

A. There was several things you were yelling about. I, specifically, remember placing my left hand on your right shoulder and just talking really quietly saying, "This isn't appropriate. She's pregnant. Your children are here."

Q. Uh, what tone of voice was I yelling in? Was it high pitched, normal or really deep?

A. Just a loud voice.

Q. Have you ever experienced anyone having a PTSD or an anxiety attack?

A. Yes, I have.

Q. Do you think I was having one that day?

A. I would have no way of knowing that.

Q. As a trained social worker, you should but, anyway.

THE COURT: Well,....

ANDREA ARMSTRONG: Q. So you, obviously, haven't been trained to deal with crisis intervention and....

THE COURT: Oh, now....

A. I have.

ANDREA ARMSTRONG: Q. Okay.

THE COURT: Just move on.

ANDREA ARMSTRONG: Q. Okay. Um, just let me

5 check one more thing. And you say you were about 10 feet  
from the computer area?

A. Yes.

Q. Okay. That's all. Thank you.

THE COURT: Any re-examination?

10 MS. EBERHARD: No.

THE COURT: Thank you. You are free to go.

Please, do not discuss your evidence with any  
other person or witness until we know the  
whole thing is over, particularly, with - I  
gather, there is going to be another witness  
15 from....

MS. EBERHARD: Yes, Mary Louise Green.

THE COURT: Yes. So make a point - if she  
wants to talk to you, you tell her that the  
mean, old judge....

20 A. Yeah, am I allowed to go - go now or  
just...

THE COURT: Yes, I would just...

A. ...leave the room now?

THE COURT: ...get the heck out of here.

25 A. Thanks.

MS. EBERHARD: Perhaps, it would be a good  
time to take the lunch break.

THE COURT: We will break for lunch now and  
resume at - on that clock 2:08.

30

R E C E S S

